

COMMITTEE AMENDMENT FORM

DATE: 10/29/08

COMMITTEE ZONING PAGE NUM. (S) 1

ORDINANCE I. D. #08-O-1765 SECTION (S)

RESOLUTION I. D. #08-R- PARA.

AMENDS THE LEGISLATION BY ADDING FOUR (4) CONDITIONS ONE OF WHICH IS A SITE PLAN RECEIVED BY THE BUREAU OF PLANNING ON SEPTEMBER 24, 2008.

AMENDMENT DONE BY COUNCIL STAFF 10/17/08

City Council
Atlanta, Georgia

08-O-1765

AN ORDINANCE
BY: ZONING COMMITTEE

Z-08-61/Z-06-20
Date Filed: 8-7-08

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at a **portion of 3300 Northside Parkway, N.W** be changed from the OI -C (Office Institutional-Conditional) District and RLC-C (Residential Limited Commercial-Conditional) to OI-C (Office Institutional-Conditional) District, for the purposes of a change of conditions, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 197, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey/map.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

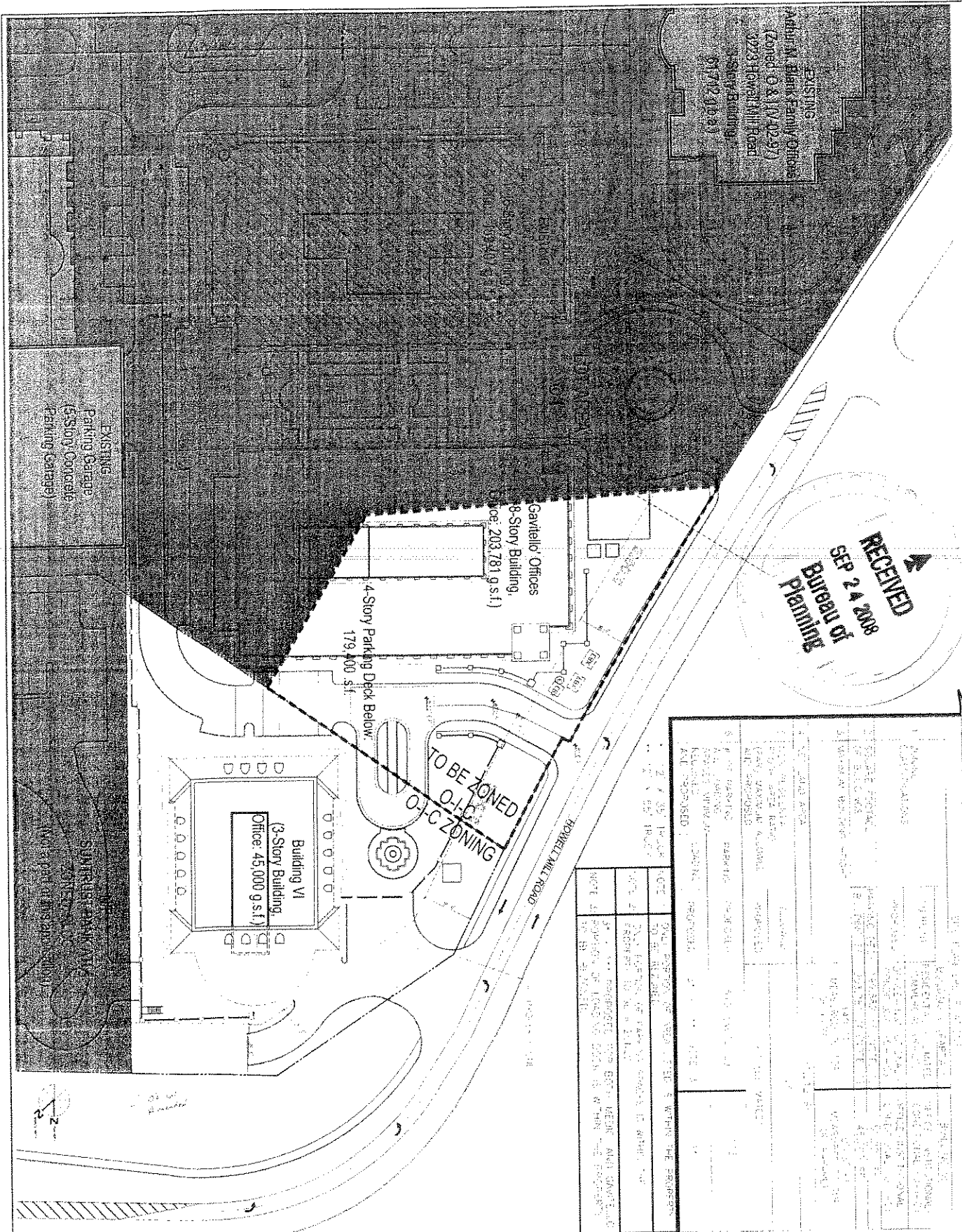
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

RECEIVED
SEP 24 2008
Bureau of
Planning

208-61

PROJECT NO. 208-61		DATE 9/24/08	
PROJECT NAME		PROJECT LOCATION	
PROJECT DESCRIPTION		PROJECT OWNER	
PROJECT ADDRESS		PROJECT CITY	
PROJECT STATE		PROJECT ZIP	
PROJECT COUNTY		PROJECT DISTRICT	
PROJECT ZONING		PROJECT MAP	
PROJECT AREA		PROJECT SCALE	
PROJECT DATE		PROJECT TIME	
PROJECT BY		PROJECT FOR	
PROJECT CHECKED		PROJECT REVIEWED	
PROJECT APPROVED		PROJECT REJECTED	
PROJECT COMMENTS		PROJECT NOTES	



Conditions for Z-08-61

1. Left turns from the property onto Howell Mill Road are prohibited between 4:30 p.m. and 6:30 p.m. Monday through Friday, and appropriate signage will be installed at the exits from the property to Howell Mill Road. For the northernmost driveway, the signage will be installed at the parking garage exits such that this restriction does not apply to traffic from the SunTrust parcel to the east of the property utilizing the reserved driveway easement over the property to Howell Mill Road until such time as the SunTrust parcel is developed with improvements having more than two stories or a parking deck.
2. The property shall be used only for office and accessory uses.
3. The improvements on the property, including curb cuts, will be generally in accordance with the Zoning Plan (Sheet AO-01A; Job No. 208034) by Smallwood Reynolds, Stewart & Associates, Inc., stamped received by the Bureau of Planning on September 24 2008 (the "Site Plan"), notwithstanding the foregoing, the development proposed on the O-I-C tract shall not exceed the following: a portion of one building not exceeding eight stories or 203,781 square feet ("Building V") and one building not exceeding three stories (excluding the parking deck), or 45,000 square feet located above a parking deck not exceeding two levels above grade or a total of four levels ("Building VI"). To the extent that any level of a parking garage is visible above grade, the parking garage levels will be screened with an architectural treatment on the exterior and landscaped screening, including trees, to also be utilized along Howell Mill Road.
4. The subject property shall be combined with the adjacent O-I property to the south prior to issuance of any permits.

LEGAL DESCRIPTION
SunTrust - Dorsey Parcel

All that tract or parcel of land lying in and being in Land Lot 197 of the 17th District of Fulton County, City of Atlanta, Georgia, and being more particularly described as follows:

Commencing at the common land lot corner of Land Lots 182, 181, 197, and 198;

THENCE, along the northerly land lot line of Land Lot 197, North 88 degrees 39 minutes 14 seconds West for a distance of 79.90 feet to a point on the southerly right-of-way line of Northside Parkway (having a 100 foot right-of-way);

THENCE, along said southerly right-of-way line, North 50 degrees 11 minutes 45 seconds West for a distance of 45.17 feet to a point at the intersection of said right-of-way line and the common line between that parcel now or formerly owned by Forum I and that parcel now or formerly owned by SunTrust Bank;

THENCE run along said common line the following courses and Distances:

THENCE South 00 degrees 03 minutes 49 seconds West for a distance of 128.62 feet to a point;

THENCE South 39 degrees 29 minutes 31 seconds West for a distance of 211.74 feet to a point;

THENCE South 74 degrees 58 minutes 30 seconds West for a distance of 20.73 feet to the POINT OF BEGINNING;

THENCE, leaving said common line, run South 74 degrees 58 minutes 30 seconds West for a distance of 28.23 feet to a point;

THENCE South 74 degrees 58 minutes 30 seconds West for a distance of 244.88 feet to a point;

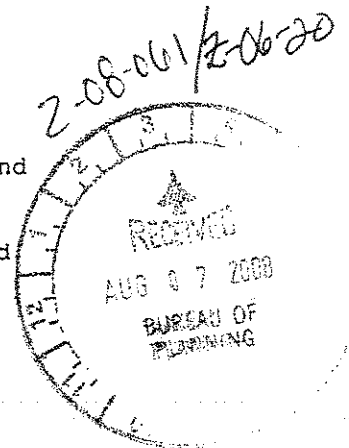
THENCE North 24 degrees 16 minutes 30 seconds West for a distance of 67.94 feet to a point;

THENCE North 06 degrees 19 minutes 25 seconds East for a distance of 127.70 feet to a point;

THENCE North 42 degrees 21 minutes 25 seconds East for a distance of 87.66 feet to a point at the intersection of said right of way line and a proposed property line running through that parcel now or formerly owned by SunTrust Bank;

THENCE, along said proposed line, South 50 degrees 05 minutes 19 seconds East for a distance of 284.97 feet to the POINT OF BEGINNING.

Said property contains 0.92 acres or 40,087 square feet.





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September 15, 2008

VIA EMAIL (cjacks@atlantaga.gov)

Charletta Wilson Jacks
City of Atlanta Bureau of Planning
55 Trinity Avenue, Suite 3350
Atlanta, Georgia 30303

Re: Z-08-61 (Piazza at Paces)

Dear Charletta:

Attached is a copy of a legal description for a remnant tract of property currently zoned RLC-C. Please add the attached legal description to application Z-08-61. The application should now be a request to amend the zoning from "O-I-C and RLC-C" to an "O-I-C" zoning. The acreage should be increased from 0.92 acres to 1.6448 acres. At the time the 0.92 acre tract, known as the Dorsey-Alston tract, was zoned to O-I-C it was not known that there was additional RLC-C property on the east side of Howell Mill Road to the south of the Dorsey-Alston tract. The RLC-C property is included as a part of a larger O-I unconditional lot and has always been identified as also being zoned O-I unconditional. With the help of your staff, we have identified 0.7248 acres outside the boundaries of the Dorsey-Alston tract which are not an individual lot and require rezoning. Please amend the above captioned application and the advertisements being sent out for publication this week with the attached legal description and update the zoning and acreage references.

Please contact me with any questions you may have regarding this amendment request.

Very truly yours,

SEYFARTH SHAW LLP

Jessica L. Hill

cc: Mr. Michael O'Brien, Eric D. Ranney, Esq., James Nobles, Sandra Adair, Nina Gentry,
Keedra Taylor

AT1 32514277.1

ATLANTA BOSTON CHICAGO HOUSTON LOS ANGELES NEW YORK SACRAMENTO SAN FRANCISCO WASHINGTON, D.C. BRUSSELS

City Council
Atlanta, Georgia

08-0-1765

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BY: ZONING COMMITTEE

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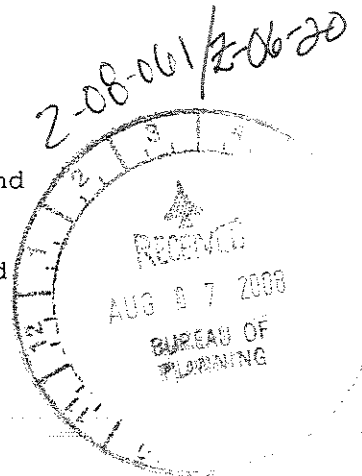
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RCS# 2416
9/15/08
2:38 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

08-O-1764, 1765, 1766, 1767, 1768, 1769, 1770
08-O-1771, 1772, 1773
REFER ZRB/ZONE.

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 1
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	NV Norwood
Y Young	Y Shook	Y Maddox	E Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE